REMARKS

This application has been reviewed in light of the Office Action dated July 26, 2005. Claims 1-10, 12-20, 22-25, 27-53, and 55-71 are presented for examination, of which Claims 1, 2, 35, 46, 55, and 63 are in independent form. Claims 1, 2, 5, 9, 12, 13, 15, 17, 20, 22, 23, 25, 27-29, 31- 43, 45-47, 49-51, 53, 55, 56, 58-60, 62-64, 66-68, 70, and 71, have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

Applicant gratefully acknowledges the indication that Claims 3, 4, 8, 10, 14, 15, 24, 25, 28, 29, 38, 40, and 41 include allowable subject matter would be allowable if rewritten in proper independent form. Applicant respectfully declines to so rewrite these claims at the present time, because their base claims are believed to be allowable, as discussed below.

The Office Action states that Claims 1, 2, 5-7, 9, 12, 13, 16-18, 22, 23, 27, 30-33, 35, 39, 42-44, and 71 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,696,866 (Iggulden et al.); that Claim 19 is rejected under § 103(a) as being unpatentable over Iggulden et al. in view of U.S. Patent No. 5,784,521 (Nakatani et al.); that Claims 20, 34, 45-48, 55-57, and 63-65 are rejected under § 103(a) as being unpatentable over Iggulden et al. in view of Nakatani et al., and further in view of U.S. Patent No. 5,956,453 (Yaegashi et al.); that Claims 36 and 37 are rejected under § 103(a) as being unpatentable over Iggulden et al.; that Claims 49, 50, 58, 59, 66, and 67 are rejected under § 103(a) as being unpatentable over Iggulden et al. in view of Nakatani et al. and Yaegashi et al., and further in view of U.S. Patent No. 5,515,101 (Yoshida); and that Claims 51-53, 60-62, and 68-70 are rejected under § 103(a) as being unpatentable over Iggulden et al. in view of Nakatani et al., Yaegashi et al., and Yoshida, and further in view of U.S. Patent No. 6,546,187 (Miyazaki et al.).

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Applicants submit that independent Claims 1, 2, 35, 46, 55, and 63, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claims 1, 22, and 35 is directed to editing a video sequence that includes at least one clip. Each clip is formed at least by video content captured between two points in time, which define the clip's duration. Duration data associated with the duration of each clip of the video sequence is extracted. The duration data of the at least one clip is processed according to at least one predetermined template of editing rules to form editing instruction data. The template indicates at least a plurality of predetermined edited segment durations. The editing instruction data is configured to form output edited segments from the at least one clip. The at least one clip of the video sequence is processed according to the editing instruction data to form an output edited sequence of the output edited segments. Each output edited segment is of one of the plurality of predetermined edited segment durations, with at least a portion of the at least one clip being discarded by the processing of the at least one clip.

Applicant respectfully submits that the Office Action indicates a number of misinterpretations of Iggulden et al. For example, in the section of the Office Action entitled "Response to Arguments," it is stated that "during the marking phase, the event detectors are sampled . . ." However, a careful review of Iggulden et al. reveals that the particular action being referred to occurs within the "recording phase." (See column 9, lines 20-21.) In the same section of the Office Action, it is stated that "in column 10, lines 8+, after the marking phase is

completed . . ." (Emphasis added.) In fact, the passage at column 10, lines 9 and 10, refers to what occurs after the "processing phase" is complete.

The "Response to Arguments" section of the Office Action also includes a statement that ". . each marked clip is clearly marked during the recording/marking phase, and stored as an event list." (Emphasis added.) A careful review of Iggulden et al., however, reveals that what the Office Action is believed to be describing is in fact a "commercial group list." (See column 10, lines 18-20.)

The above misunderstandings of Iggulden et al. are believed to have contributed to an erroneous application of Iggulden et al. to reject the claims of this application. For example, in the "Response to Arguments" section of the Office Action the following identifications comparing Iggulden et al. with the present invention are respectfully submitted to be inappropriate:

1. The "event list" of Iggulden et al. is equated with the claimed "template." This characterization is believed to be erroneous, because in the present invention the template is, by definition, established prior to the processing of any of the video information, clips, or time data. In contrast, in Iggulden et al. the event list is established from an interpretation of the recorded data arising from the identification of various commercials and commercial groups.

2. The "commercial group list" of Iggulden et al. is equated with the claimed "duration data." This characterization is believed to be erroneous, because the commercial group list of Iggulden et al. is a list of times at which the commencement of individual commercials are identified, such that a particular group of commercials are identified from a commencement of the first commercial to a cessation of the last commercial in the group. This is used by Iggulden

et al. so that the commercials identified between the commencement and the cessation, can be omitted during reproduction of the recorded material. In contrast, the claimed "duration data" is the duration of each clip. (Note that a clip is clearly defined as being video content captured between two points in time, which define the duration of the clip.) As previously noted, Iggulden et al. relates to a processing of a prerecorded single clip. In Iggulden et al., a user wishes to play back a program that is recorded in a traditional manner between a commencement time and an end time. That forms a single clip of video data. Iggulden et al. then teaches that the single clip is processed to identify specific content (i.e., the commercials) within the clip, which then is edited out on reproduction. The present invention, however, relates to a video sequence comprising at least one clip, and typically a number of clips, with the commencement of recording of each clip and cessation of recording defining the duration data of the corresponding clip.

3. The Office Action equates the "segments of recorded data" (program and commercial) of Iggulden et al. with the "clips" of the present invention. As noted above, however, Iggulden et al. only describes one clip which is then divided through examining time data and other data into a number of segments, such that selected segments (the program material) can be reproduced as desired. In contrast, the present invention works upon one or more individual clips for which the actual recorded material is irrelevant. The operation on the clips of the present invention is performed using a template, which is predefined before the recording of the clip. Thus, the segments of Iggulden et al., which are derived from a single clip and from a processing of the content of that clip, are respectfully submitted to be different than the clips of the present invention.

For the sake of expediency and to advance the prosecution of this application, Claims 1 and 22 have been amended to recite a "predetermined template of editing rules" to indicate more clearly that the template is one that is established prior to either the capture of the video sequence or its editing and, as such, is entirely unrelated to the content of the video sequence (this feature is already present in Claim 35). Claims 1, 22, and 35 have been amended to specify that each output edited segment is of one of the plurality of predetermined edited segment durations with at least a portion of each clip being discarded in processing. That is, the claimed output edited segments are of the durations indicated by the template, and not the portions discarded from the original clip(s). This is believed to clearly contrast the arrangement of Iggulden et al., in which the converse applies. More specifically, in Iggulden et al., the segments edited using the predetermined time are the commercials that are edited from the single video clip. Therefore, the output of Iggulden et al. is entirely unrelated in its duration or the actual length of time of the segments (commercials) edited from the original recording.

Accordingly, Applicant submits that Claims 1, 22, and 35 are not anticipated by Iggulden et al., and respectfully requests withdrawal of the rejections under 35 U.S.C. § 102(b).

The aspect of the present invention set forth in Claims 46, 55, and 63 is directed to editing a video sequence that includes a plurality of individual clips. Each clip is formed by video content captured between a corresponding commencement of recording and a corresponding cessation of recording, and is distinguished by associated data including at least time data related to a real time at which the clip was recorded. Time data for each clip is examined to identify clips that are associable by a predetermined time function. The associable clips are arranged into corresponding groups of clips. For each group of clips, corresponding

time data is used to identify at least one of a beginning and a conclusion of the group as a title location. For at least one title location, corresponding time data and/or further data is examined to generate an insert title including at least a text component, and the insert title is incorporated into the video sequence at a corresponding title location.

As previously noted, Iggulden et al. relates to the recording of a single clip defined by a commencement time and an end time of recording. The content of that recording is processed to identify portions of the recording that are discarded upon playback (i.e., the commercials and commercial groups). Applicant understands the intention of Iggulden et al. is to enable a person who undertook the recording to replay only the (desired) "program" material and not the (undesired) "commercial" material.

The Office Action alleges that a combination of Iggulden et al., Nakatani et al., and Yaegashi et al. renders Claims 46, 55, and 63 obvious. In particular, the Office Action states that "it would have been highly desirable to organise . . ." and "it would have been highly desirable to insert titles . . ." However, a careful reading of the cited references fails to reveal anything that would suggest "for each group of clips, identifying from corresponding time data at least one of a beginning and a conclusion of the group as a title location," and "for at least one title location, examining at least one of corresponding time data and further data to generate an insert title including at least a text component," and "incorporating the insert title into the video sequence at a corresponding title location," as recited in independent Claim 46, with similar recitations in independent Claims 55 and 63. Nothing in Iggulden et al. is seen to provide motivation or indicate a desirability to include such a feature. Therefore, Applicant respectfully submits that it would be improper to combine the teachings of the cited references.

However, even if it is assumed that it is permissible to combine the cited references, Applicant notes that Iggulden et al. is concerned only with a single clip, as discussed above. Therefore, any insertion of a title would occur only at the beginning or at the end of a particular commercial group, as those are the only times that are identified in Iggulden et al. that have any relevance to the insertion of a title. Iggulden et al. is unconcerned with the time at which the program material is actually recorded or the real time at which the program material ends, either finally or at the commencement of a commercial group. The other cited references are not understood to remedy the deficiencies of Iggulden et al.

Accordingly, Applicant submits that Claims 46, 55, and 63 are patentable over the cited art, and respectfully requests withdrawal of the rejections under 35 U.S.C. § 103(a).

The other rejected claims in this application depend from one or another of the independent claims discussed above and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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